

Message Text

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PAGE 01 MANILA 10019 100424Z

22

ACTION EA-09

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CINCPACREPPHIL SUBIC

CG 13TH AF CLARK AB RP

C O N F I D E N T I A L MANILA 10019

CINCPAC ALSO FOR POLAD

FROM USDEL 0103

E.O. 11652: GDS

TAGS: MARR, RP

SUBJECT: PHILIPPINE BASE NEGOTIATIONS: DAILY SUMMARY NO. 15

1. SUMMARY. U.S. AND PHIL NEGOTIATING PANELS MET IN
PLENARY SESSION AND IN WORKING GROUPS MORNING AND AFTERNOON
OF JULY 9. PLENARY FEATURED STILL ANOTHER UNSEEMLY
TACTICAL PRESSURE MOVE BY LABOR UNDER SECRETARY INCIONG,
WHICH CAUSED BRIEF RECESS WHILE TWO CHAIRMEN MET TO
RE-INSTRUCT THE LABOR WORKING GROUP. ONCE THIS OBSTACLE
PASSED, PLENARY HEARD BRIEF REPORT ON RADIATION DANGERS
AT WALLACE AND THEN ADJOURNED. WORKING GROUPS MADE VERY
LIMITED PROGRESS, AGAIN IN PART DUE TO U.S. INABILITY TO
PRODUCE ANY PAPERS BECAUSE OF ABSENCE WASHINGTON RESPONSE
TO SEVERAL OPERATIONAL CABLES. PANELS AGREED TO RECESS
FOR WEEKEND AND RESUME MONDAY, JULY 12. END SUMMARY.

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PAGE 02 MANILA 10019 100424Z

2. THE JULY 9 PLENARY OPENED WITH LABOR UNDERSECRETARY

INCIONG ENTANGLING THE CO-CHAIRMAN IN THE SAME WEB OF MISUNDERSTANDING THAT HIS SPIDERY BEHAVIOR HAS BROUGHT TO THE LABOR WORKING GROUP. ROMUALDEZ DISCLAIMED THAT HE HAD TOLD AMBASSADOR SULLIVAN ON THE PREVIOUS DAY IN EXECUTIVE SESSION THAT THE 1968 BLA COULD BE MENTIONED IN THE BASES AGREEMENT, AND THAT THE VALIDITY OF THE BLA COULD STAND SUBJECT ONLY TO CHANGE WHERE IT IS IN CONFLICT WITH THE BASES AGREEMENT. ROMUALDEZ CLAIMED THAT HE WAS REFERRING TO THE COLLECTIVE BARGAINING AGREEMENT (CBA) WHICH, UNLIKE THE BLA, HAS A DEFINITE DURATION AND WOULD BE ALLOWED TO RUN ITS COURSE. THE TWO CHAIRMEN MET PRIVATELY AND AGREED THAT THE LABOR WORKING GROUP WOULD BE INSTRUCTED TO TREAT LABOR SUBJECT IN THREE PARTS: (A) APPLICABILITY OF PHIL LAW TO BE INCLUDED IN GENERAL ARTICLE; (B) BLA REMAINS AS A SECOND ELEMENT; AND (C) MODIFICATION TO BLA TO BE CONSIDERED BY WORKING GROUP. AT THE REQUEST OF THE PHIL PANEL, GENERAL MANOR DELIVERED A SHORT BRIEFING DEMONSTRATING THAT THERE ARE NO HARMFUL EFFECTS FROM THE RADIATION PATTERN AT WALLACE AIR STATION.

3. CHAIRMEN'S GROUP MET BOTH IN MORNING AND AFTERNOON. MORNING SESSION DEVOTED LARGELY TO DISCUSSION OF PHILIPPINE VIEW OF "DEFENSE SUPPORT" WHICH IS ANTICIPATED FROM U.S. BY THEIR ARTICLE XIX, AND WHICH IS TO BE "JUSTIFIED" BY NORMALIZATION PLAN SUBMITTED BY PHILDEL JULY 8. AFTERNOON SESSION DISCUSSED SUBSTANCE OF ARTICLE XIX REDRAFT WHICH PHILS INTEND TO TABLE. BOTH THESE ITEMS WILL BE SUBJECT OF SEPARATE OPERATIONAL CABLE. INTERSPERSED WITH THESE DISCUSSIONS, THE CO-CHAIRMAN GAVE GUIDANCE ON VARIOUS MATTERS TO WORKING GROUPS, IN ADDITION TO THAT ACCORDED THE LABOR GROUP AS RESULT OF RECESS IN MORNING PLENARY.

4. OPERATION OF BASES. PHILS WERE LATE DUE TO A PHIL STAFF MEETING. PHILS TABLED MORE LANGUAGE ON THEIR ARTICLES III, IV AND V WHICH THEY DID NOT WANT TO DISCUSS UNTIL THE WORKING GROUP MEETS AGAIN 12 JULY. BRIEFLY, THIS LANGUAGE GOES BACK TO SQUARE ZERO AND IS CONFIDENTIAL

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PAGE 03 MANILA 10019 100424Z

ALMOST AS UNSATISFACTORY AS THEIR ORIGINAL DRAFT ARTICLES III, IV AND V. THE REMAINDER OF THE TIME WAS SPENT ON EXPLORATORY DISCUSSION OF U.S. ARTICLE IX AND PHIL ARTICLE VI (PARA 1 ONLY) AND ANNEXES C AND D THERETO. BOTH SIDES GENERALIZED ON WHAT THEY FOUND WRONG ABOUT THE OTHER'S DRAFT--THE U.S. SIDE RE-EMPHASIZED THE TOTAL UNACCEPTABILITY OF ANNEXES C AND D, WITH SPECIFIC COMMENTS ADDRESSING ANNEX C. ANNEX D WILL BE

THE SUBJECT OF SPECIFIC COMMENTS 12 JULY.

5. FACILITIES. PHILIPPINE DELEGATION PRESENTED DRAFT ARTICLE ON NATURAL RESOURCES AND WATERSHEDS "APPROVED AT THE HIGHEST LEVEL" OF PHILIPPINE GOVERNMENT. IN ABSENCE OF WASHINGTON GUIDANCE ON PROPOSED ARTICLE II AND III WHICH HAD BEEN SCHEDULED FOR DISCUSSION AT JULY 9 SESSION, WORKING GROUP PREPARED INFORMAL WORKING PAPERS ON JOHN HAY, NATURAL RESOURCES AND ENVIRONMENTAL MEASURES.

6. LABOR. AS NOTED SEPTEL, WORKING GROUP ON LABOR EXPLORING PARTICULAR AREAS OF GOP CONCERN WITHOUT PREJUDICE TO U.S. POSITION THAT BLA WILL BE CONTINUED AND GOP POSITION TO THE CONTRARY. IN DISCUSSING GRANDFATHER CLAUSE IN GOP DRAFT ARTICLE XI, PARA 9, U.S. PANEL NOTED THAT WE COULD NOT ACCEPT ANY OBLIGATION REGARDING RIF OR OTHER DISRUPTIONS WHICH MIGHT DIRECTLY RESULT FROM CHANGES PROPOSED BY GOP, SUCH AS RELINQUISHMENT OF CERTAIN AREAS AND FUNCTIONS TO GOP CONTROL. HOWEVER, WE DID NOT PLAN ON REDUCING WAGES OR BENEFITS AS A RESULT OF THIS AGREEMENT. PHILS FEARED THIS IF PHIL LAW WERE TO BECOME APPLICABLE, A FEAR WE EXPECT GROUNDLESS. IN AFTERNOON SESSION INCIONG FELL OFF HARD-LINE STAND THAT WAGES AND FRINGE BENEFITS MUST BE SUBJECT TO COLLECTIVE BARGAINING. HE THEORIZED THAT IF BLA SURVEY TECHNIQUE WERE TO REMAIN IN EFFECT IT COULD BE IMPROVED TO SATISFY PHIL NEEDS. THERE SHOULD BE GREATER UNION PARTICIPATION IN REVIEW OF DATA AND FIXING OF WAGE LINE; BILATERAL REDUCTION OF DATA AND INTERPRETATION OF DATA RESULTS AND IF DISPUTED THAT ARBITRATION UNDER PHIL GOVERNMENT AUSPICES SETTLE ISSUE. IN A WORD, FINAL DECISION WOULD BE CONFIDENTIAL

CONFIDENTIAL

PAGE 04 MANILA 10019 100424Z

PLACED IN PHILIPPINES OUTSIDE OF U.S. FORCES CONTROL. WHILE THE DECISION MAKING ASPECT IS NOT ACCEPTABLE, THE INCIONG EXERCISE WAS A SURPRISE IN ITS MODERATE TONE.

7. CRIMINAL JURISDICTION. USDEL, LACKING INSTRUCTIONS FROM WASHINGTON, MADE NO PROGRESS.
SULLIVAN

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